

AMENDMENTS TO THE DRAWINGS

The attached sheet of drawings includes changes to FIG. 5. This sheet, which includes FIGS. 4 and 5, replaces the original sheet including those same Figures.

Amended FIG. 5 includes a section line IV-IV indicating the general location of the schematic cross-sectional view of the handle holder 10 of FIG. 4.

REMARKS

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Claims 1 and 3-20 are now present in this application. Claims 1, 16 and 19 are independent.

Amendments have been made to the Abstract of the Disclosure and specification, claim 2 has been canceled, claims 17-20 have been added, and claims 1, 3-7, 10-12, 14-16 have been amended. Reconsideration of this application, as amended, is respectfully requested.

Priority Under 35 U.S.C. § 119

Applicant thanks the Examiner for acknowledging Applicant's claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

Objection to the Drawings

The Examiner has objected to the drawings because the reference character "F" in FIG. 2 was not mentioned in the specification. In order to overcome this objection, Applicant made appropriate amendment to the specification to include the reference character "F."

The Examiner has also objected to the drawings because of the absence of section lines describing the location of the cross-sectional view of FIG. 4. In order to overcome this objection, Applicant is concurrently submitting a Replacement Drawing Sheet for the Examiner's approval, which addresses the deficiency pointed out by the Examiner, and Applicant has amended the specification to address this. Accordingly, reconsideration and withdrawal of this objection are respectfully requested.

Objection to the Abstract of the Disclosure

The Examiner has objected to the Abstract of the Disclosure because of the use of legal phraseology.

In order to overcome this objection, Applicant has amended the Abstract of the Disclosure to delete the legal phraseology. Accordingly, reconsideration and withdrawal of this objection are respectfully requested.

Specification Objection

The Examiner has objected to the specification because of several informalities. In order to overcome this objection, Applicant has amended the specification in order to correct the deficiencies pointed out by the Examiner. Reconsideration and withdrawal of this objection are respectfully requested.

Claim Objections

The Examiner has objected to claims 3, 10-12, 14 and 15 because of several informalities. In order to overcome this objection, Applicant has amended claims 3, 10-12, 14 and 15 in order to correct the deficiencies pointed out by the Examiner. Reconsideration and withdrawal of this objection are respectfully requested.

Claim Amendments

Applicant has amended the claims in order to correct minor typographical errors, and to place the claims in better form. The claim amendments are not being made in response to any statutory requirement for patentability, and have not been narrowed in scope. Instead, the claims have been amended merely to recite the subject matter therein more clearly.

Rejection Under 35 U.S.C. § 112, 2nd Paragraph

Claims 1-16 stand rejected under 35 U.S.C. § 112, 2nd Paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language lacks antecedent basis or is not clearly understood.

In order to overcome this rejection, Applicant has amended claims 1, 6, 7 and 16 to correct each of the deficiencies specifically pointed out by the Examiner. Applicant also has amended a portion of the specification to correspond with the claims. Applicant respectfully submits that the claims, as amended, particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections under 35 U.S.C. §103

Claims 1-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the prior art disclosed by Applicant in FIG. 1-3 of the application in view of Darden (5,460,212) and Sueyoshi (2002/0152582). This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicant respectfully submits that independent claim 1 has been amended to recite a combination of elements in a door assembly including a door, a handle and a plurality of handle holders each having an end which includes a handle holder member contacting the door and extending to the handle, and a supporting member protruding downwardly from a lower surface of the handle holder member and receivable within a groove provided in the door, for preventing damage from occurring on the handle holder.

Applicant further respectfully submits that independent claim 16 has been amended to recite a combination of elements in a handle assembly for a door including a handle and a plurality of handle holders each having a first end portion which includes a handle holder member contactable with a door and extending to the handle, and a supporting member protruding downwardly from a lower surface of each handle holder member and receivable within a groove provided in a door.

Applicant respectfully submits that the combinations of elements as set forth in independent claims 1 and 16 are not disclosed or made obvious by the applied references.

The Examiner states that it would have been "obvious to one of ordinary skill in the art to incorporate the groove 12 of Sueyoshi, and the supporting member and groove shape of Darden, into the handle holder and refrigerator door of the admitted prior art."

Applicant respectfully submits that it would not have been obvious to one skilled in the art to incorporate the grooved portion (second mounting seat 12) of a vehicle handle in Sueyoshi, and the structure of a replaceable cutting tool 90 in Darden having a portion 94 that fits in a groove of a cutting edge 96, into the admitted prior art refrigerator.

To rely on a reference under 35 U.S.C. § 103, the prior art must be analogous to the applicant's field of endeavor. *See M.P.E.P. 2141.01(a)*. "In order to rely on a reference as a basis for rejection of an applicant's invention, the reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned." MPEP 2141.01(a) (citing *In re Oetiker*, 977 F.2d 1443, 1446 (Fed. Cir. 1992)).

Applicant's invention relates to a refrigerator door handle, and seeks to prevent a handle holder from being damaged by upward force. On the contrary, Darden relates to a replaceable cutting tool for a wood debarking tool, where the protrusion 94 is fit into the groove to prevent the replaceable cutting tool 90 from sliding. The Darden reference is not "in the field of applicant's endeavor," (designing handles for refrigerators) and is not "reasonably pertinent to the particular problem with which the inventor was concerned" (preventing breakage of the handle holder). Therefore, under the Federal Circuit guiding precedent of *In re Oetiker*, the Darden reference cannot be relied on as a basis for rejection of Applicant's invention.

Further, Sueyoshi relates to a vehicle handle system that automatically unlocks a door by sensing transmission from a user. The Sueyoshi reference is not "in the field of applicant's endeavor," (designing handles for refrigerators) and is not "reasonably pertinent to the particular problem with which the inventor was concerned" (preventing breakage of the handle holder). Therefore, under the Federal Circuit guiding precedent of *In re Oetiker*, the Sueyoshi reference cannot be relied on as a basis for rejection of Applicant's invention.

Despite some structural similarities, the protrusion 94 and the groove of Darden or the second mounting seat (the grooved portion) 12 in Sueyoshi do not have the same function or seek to solve the same problem as the supporting member 40 and the groove 21 of Applicant's invention. Darden and Sueyoshi are simply not analogous to the applicant's field of endeavor. Because neither Darden nor Sueyoshi is analogous art, they do not qualify as proper references for a rejection under 35 U.S.C. §103, and thus could not be the proper basis for the rejection of the claims.

In addition, even if the references were proper to combine, the resulting combination would still not yield the combinations of elements as set forth in independent claims 1 and 16, including a plurality of handle holders each having an end which includes a handle holder member and a supporting member protruding downwardly from a lower surface of the handle holder member and receivable within a groove provided in the door, as claimed.

Applicant respectfully submits that the combinations of elements as set forth in independent claims 1 and 16 are not disclosed or made obvious by the applied references for the reasons explained above. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

With regard to dependent claims 3-15, Applicant submits that claims 3-15 depend, either directly or indirectly, from independent claim 1 which is allowable for the reasons set forth above, and therefore claims 3-15 are allowable based on their dependence from claim 1. Reconsideration and allowance thereof are respectfully requested.

Claims 17-20

Claims 17 and 20 have been added for the Examiner's consideration. Applicant submits that claims 17 and 18 depend, either directly or indirectly, from independent claims 1 and 16, respectively, and are therefore allowable based on their dependence from claims 1 and 16 which are believed to be allowable. In addition, claims 17 and 18 recite further limitations which are not disclosed or made obvious by the applied prior art references.

Independent claim 19 recites a combination of elements in a refrigerator comprising: a refrigerator main body; a door movable mounted to the refrigerator main body; a handle affixed to the door; and a plurality of handle holders each having a first end fixed to the door and a second end attached to the handle, wherein the first end comprises: a handle holder member contacting the door and extending to the handle; and a supporting member integral with the handle holder member, the supporting member protruding downwardly from a lower surface of the handle holder member and receivable within a groove provided in the door. For the reasons explained above with respect to independent claims 1 and 16, Applicant respectfully submits that the combination of elements as set forth in independent claims 19 is not disclosed or made obvious by the applied references.

Claim 20 depends from independent claims 19, and is therefore allowable based on its dependence from claim 19 which is believed to be allowable.

Consideration and allowance of claims 17-20 are respectfully requested.

Additional Cited References

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone James T. Eller, Jr., Registration No. 39,538, at (703) 205-8000, in the Washington, D.C. area.

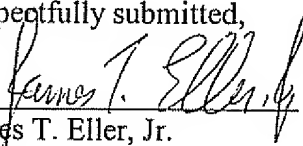
Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By



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Attachments: Replacement Sheet